



Your business
is our business.

DOCKET FILE COPY ORIGINAL

REDACTED – FOR PUBLIC INSPECTION

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October 8, 2013

ACCEPTED/FILED

OCT 24 2013

Federal Communications Commission
Office of the Secretary

By Hand Delivery

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

**Re: WC Docket No. 10-90, WC Docket No. 11-42
2013 ETC Annual Report of Empire Telephone Corporation
Study Area Code 150093**

Dear Ms. Dortch:

On behalf of Empire Telephone Corporation "Empire", JSI files the attached confidential and redacted versions of the FCC Form 481 ETC annual reporting information pursuant to sections 54.313 and 54.422 of the Commission's rules.¹ Empire seeks confidential treatment under Protective Order for section 54.313(f)(2) financial information.² The redacted version is also being filed this date via the FCC's Electronic Comment Filing System.

Please direct any questions regarding the filing to the undersigned.

Sincerely,

John Kuykendall
JSI Vice President
301-459-7590
jkuykendall@jsitel.com

cc: Charles Tyler, Telecommunications Access Policy Division (two copies, confidential)

No. of Copies rec'd 043
List ABCDE

¹ 47 C.F.R. §§ 54.313, 54.422.

² *Connect America Fund et al.*, WC Docket No. 10-90 *et al.*, Protective Order, DA 12-1857 rel. Nov. 16, 2012 (Protective Order). 47 C.F.R. § 54.313(f)(2).

Echelon Building II, Suite 200
9430 Research Blvd., Austin, TX 78759
phone: 512-338-0473, fax: 512-346-0822

Eagandale Corporate Center, Suite 310
1380 Corporate Center Curve, Eagan, MN 55121
phone: 651-452-2660, fax: 651-452-1909

6849 Peachtree Dunwoody Road
Bldg. B-3, Suite 200, Atlanta, GA 30328
phone: 770-569-2105, fax: 770-410-1608

547 South Oakview Lane
Bountiful, UT 84010
phone: 801-294-4576, fax: 801-294-512

FCC Form 481 - Carrier Annual Reporting Data Collection Form	FCC Form 481 OMB Control No. 3060-0086/OMB Control No. 3060-0819 July 2013
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<010> Study Area Code	150093
<015> Study Area Name	EMPIRE TEL CORP
<020> Program Year	2014
<030> Contact Name: Person USAC should contact with questions about this data	Thomas Prestigiacomo
<035> Contact Telephone Number: Number of the person identified in data line <030>	607-522-3712
<039> Contact Email Address: Email of the person identified in data line <030>	tpresti@etcnpt.com

ACCEPTED/FILED

OCT 24 2013

**Federal Communications Commission
Office of the Secretary**

ANNUAL REPORTING FOR ALL CARRIERS			54.313 Completion Required	54.422 Completion Required
<100> Service Quality Improvement Reporting	(complete attached worksheet)	(check box when complete)	<input type="checkbox"/>	<input type="checkbox"/>
<200> Outage Reporting (voice)	(complete attached worksheet)		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<210> <input checked="" type="checkbox"/> <-- check box if no outages to report				
<300> Unfulfilled Service Requests (voice)	0	(attach descriptive document)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<310> Detail on Attempts (voice)		(attach descriptive document)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<320> Unfulfilled Service Requests (broadband)	0	(attach descriptive document)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<330> Detail on Attempts (broadband)		(attach descriptive document)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<400> Number of Complaints per 1,000 customers (voice)			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<410> Fixed	0.0			
<420> Mobile				
<430> Number of Complaints per 1,000 customers (broadband)				
<440> Fixed				
<450> Mobile				
<500> Service Quality Standards & Consumer Protection Rules Compliance	(check to indicate certification)		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<510> 150093ny510	(attached descriptive document)		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<600> Functionality in Emergency Situations	(check to indicate certification)		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<610> 150093ny610	(attached descriptive document)		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<700> Company Price Offerings (voice)	(complete attached worksheet)		<input type="checkbox"/>	<input type="checkbox"/>
<710> Company Price Offerings (broadband)	(complete attached worksheet)		<input type="checkbox"/>	<input type="checkbox"/>
<800> Operating Companies and Affiliates	(complete attached worksheet)		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<900> Tribal Land Offerings (Y/N)? <input type="radio"/> <input checked="" type="radio"/>	(if yes, complete attached worksheet)		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<1000> Voice Services Rate Comparability	(check to indicate certification)		<input type="checkbox"/>	<input type="checkbox"/>
<1010>	(attach descriptive document)		<input type="checkbox"/>	<input type="checkbox"/>
<1100> Terrestrial Backhaul (Y/N)? <input checked="" type="radio"/> <input type="radio"/>	(if not, check to indicate certification)		<input type="checkbox"/>	<input type="checkbox"/>
<1110>	(complete attached worksheet)		<input type="checkbox"/>	<input type="checkbox"/>
<1200> Terms and Condition for Lifeline Customers	(complete attached worksheet)		<input type="checkbox"/>	<input checked="" type="checkbox"/>

Price Cap Carriers, Proceed to Price Cap Additional Documentation Worksheet

Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers

<2000>	(check to indicate certification)	<input type="checkbox"/>
<2005>	(complete attached worksheet)	<input type="checkbox"/>
Rate of Return Carriers, Proceed to ROR Additional Documentation Worksheet		
<3000>	(check to indicate certification)	<input checked="" type="checkbox"/>
<3005>	(complete attached worksheet)	<input checked="" type="checkbox"/>

**(100) Service Quality Improvement Reporting
Data Collection Form**

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

<010>	Study Area Code	150093
<015>	Study Area Name	EMPIRE TEL CORP
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Thomas Prestigiacomo
<035>	Contact Telephone Number - Number of person identified in data line <030>	607-522-3712
<039>	Contact Email Address - Email Address of person identified in data line <030>	tprestia@etcnpt.com
<110>	Has your company received its ETC certification from the FCC?	(yes / no) <input type="radio"/> <input checked="" type="radio"/>
<111>	If your answer to Line <110> is yes, do you have an existing § 54.202(a) "5 year plan" filed with the FCC?	(yes / no) <input type="radio"/> <input checked="" type="radio"/>

If your answer to Line <111> is yes, then you are required to file a progress report, on line <112> delineating the status of your company's existing § 54.202(a) "5 year plan" on file with the FCC, as it relates to your provision of voice telephony service.

<112> Attach Five-Year Service Quality Improvement Plan or, in subsequent years, your annual progress report filed pursuant to 47 C.F.R. § 54.313(a)(1). If your company is a CETC which only receives frozen support, your progress report is only required to address voice telephony service.

Name of Attached Document (.pdf)

Please check these boxes below to confirm that the attached PDF, on line 112, contains a progress report on its five-year service quality improvement plan pursuant to § 54.202(a). The information shall be submitted at the wire center level or census block as appropriate.

- <113> Maps detailing progress towards meeting plan targets
- <114> Report how much universal service (USF) support was received
- <115> How (USF) was used to improve service quality
- <116> How (USF) was used to improve service coverage
- <117> How (USF) was used to improve service capacity
- <118> Provide an explanation of network improvement targets not met in the prior calendar year.

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

<010>	Study Area Code	150093
<015>	Study Area Name	EMPIRE TEL CORP
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Thomas Prestigiacomio
<035>	Contact Telephone Number - Number of person identified in data line <030>	607-522-3712
<039>	Contact Email Address - Email Address of person identified in data line <030>	tprestia@etcnpt.com

-- See attached worksheet --

[illegible]

(710) Broadband Price Offerings Data Collection Form		FCC Form 481 OMB Control No. 3060-0985/OMB Control No. 3060-0819 July 2013
<010>	Study Area Code	150093
<015>	Study Area Name	EMPIRE TEL CORP
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Thomas Prestigiacomo
<035>	Contact Telephone Number - Number of person identified in data line <030>	607-522-3712
<039>	Contact Email Address - Email Address of person identified in data line <030>	tprestia@tcnpt.com

[illegible]

(900) Tribal Lands Reporting Data Collection Form	FCC Form 481 OMB Control No. 3060-0936/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	150093
<015>	Study Area Name	EMPIRE TEL CORP
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Thomas Prestigiacomo
<035>	Contact Telephone Number - Number of person identified in data line <030>	607-522-3712
<039>	Contact Email Address - Email Address of person identified in data line <030>	tprestia@etcnpt.com

<910> Tribal Land(s) on which ETC Serves

<920> Tribal Government Engagement Obligation

Name of Attached Document (.pdf)

If your company serves Tribal lands, please select (Yes, No, NA) for each these boxes to confirm the status described on the attached PDF, on line 920, demonstrates coordination with the Tribal government pursuant to § 54.313(a)(9) includes:

- <921> Needs assessment and deployment planning with a focus on Tribal community anchor institutions;
- <922> Feasibility and sustainability planning;
- <923> Marketing services in a culturally sensitive manner;
- <924> Compliance with Rights of way processes
- <925> Compliance with Land Use permitting requirements
- <926> Compliance with Facilities Siting rules
- <927> Compliance with Environmental Review processes
- <928> Compliance with Cultural Preservation review processes
- <929> Compliance with Tribal Business and Licensing requirements.

Select (Yes, No, NA)

(1100) No Terrestrial Backhaul Reporting Data Collection Form		FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	150093
<015>	Study Area Name	EMPIRE TEL CORP
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Thomas Prestigiacomo
<035>	Contact Telephone Number - Number of person identified in data line <030>	607-522-3712
<039>	Contact Email Address - Email Address of person identified in data line <030>	tprestia@etcnpt.com

<1120> Please check this box to confirm no terrestrial backhaul options exist within the supported area pursuant to § 54.313(G) ☐

<1130> Please check this box to confirm the reporting carrier offers broadband service of at least 1 Mbps downstream and 256 kbps upstream within the supported area pursuant to § 54.313(G) ☐

(1200) Terms and Condition for Lifeline Customers Lifeline Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010> Study Area Code	150093
<015> Study Area Name	EMPIRE TEL CORP
<020> Program Year	2014
<030> Contact Name - Person USAC should contact regarding this data	Thomas Prestigiacomo
<035> Contact Telephone Number - Number of person identified in data line <030>	607-522-3712
<039> Contact Email Address - Email Address of person identified in data line <030>	tprestia@etcnpt.com

<1210> Terms & Conditions of Voice Telephony Lifeline Plans	150093ny1210
	Name of attached document (.pdf)

<1220> Link to Public Website	HTTP
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"Please check these boxes below to confirm that the attached PDF, on line 1210, or the website listed, on line 1220, contains the required information pursuant to § 54.422(a)(2) annual reporting for ETCs receiving low-income support, carriers must annually report:

<1221> Information describing the terms and conditions of any voice telephony service plans offered to Lifeline subscribers,	<input checked="" type="checkbox"/>
<1222> Details on the number of minutes provided as part of the plan,	<input checked="" type="checkbox"/>
<1223> Additional charges for toll calls, and rates for each such plan.	<input checked="" type="checkbox"/>

(2000) Price Cap Carrier Additional Documentation Data Collection Form <i>Including Rate-of-Return Carriers affiliated with Price-Cap Local Exchange Carriers</i>	FCC Form 481 OMB Control No. 3060-0086/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	150093
<015>	Study Area Name	EMPIRE TEL CORP
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Thomas Prestigiacomo
<035>	Contact Telephone Number - Number of person identified in data line <030>	607-522-3712
<039>	Contact Email Address - Email Address of person identified in data line <030>	tprestia@etchnpt.com

CHECK the boxes below to note compliance as a recipient of Incremental Connect America Phase I support, frozen High Cost support, High Cost support to offset access charge reductions, and Connect America Phase II support as set forth in 47 CFR § 54.313(b),(c),(d),(e) the information reported on this form and in the documents attached below is accurate.

Incremental Connect America Phase I reporting		
<2010>	2nd Year Certification (47 CFR § 54.313(b)(1))	<input type="checkbox"/>
<2011>	3rd Year Certification (47 CFR § 54.313(b)(2))	<input type="checkbox"/>
Price Cap Carrier Receiving Frozen Support Certification (47 CFR § 54.312(a))		
<2012>	2013 Frozen Support Certification	<input type="checkbox"/>
<2013>	2014 Frozen Support Certification	<input type="checkbox"/>
<2014>	2015 Frozen Support Certification	<input type="checkbox"/>
<2015>	2016 and future Frozen Support Certification	<input type="checkbox"/>
Price Cap Carrier Connect America ICC Support (47 CFR § 54.313(d))		
<2016>	Certification Support Used to Build Broadband	<input type="checkbox"/>
Connect America Phase II Reporting (47 CFR § 54.313(e))		
<2017>	3rd year Broadband Service Certification	<input type="checkbox"/>
<2018>	5th year Broadband Service Certification	<input type="checkbox"/>
<2019>	Interim Progress Certification	<input type="checkbox"/>
<2020>	Please check the box to confirm that the attached PDF, on line 2021, contains the required information pursuant to § 54.313 (e)(3)(ii), as a recipient of CAF Phase II support shall provide the number, names, and addresses of community anchor institutions to which began providing access to broadband service in the preceding calendar year.	<input type="checkbox"/>
<2021>	Interim Progress Community Anchor Institutions	<input type="checkbox"/>

Name of Attached Document Listing Required Information _____

(5000) Rate Of Return Carrier Additional Documentation		FSC Form 481
Data Collection Form		OMB Control No. 5060-0385/OMB Control No. 5060-5615
		July 2013

<010>	Study Area Code	150093
<015>	Study Area Name	EMPIRE TEL CORP
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Thomas Prestigiacomo
<035>	Contact Telephone Number - Number of person identified in data line <030>	607-522-3712
<039>	Contact Email Address - Email Address of person identified in data line <030>	tprestia@etccpt.com

CHECK the boxes below to note compliance on its five year service quality plan (pursuant to 47 CFR § 54.202(a)) and, for privately held carriers, ensuring compliance with the financial reporting requirements set forth in 47 CFR § 54.313(f)(2). I further certify that the information reported on this form and in the documents attached below is accurate.

Progress Report on 5 Year Plan

(3010)	Milestone Certification (47 CFR § 54.313(f)(1)(i)) Please check this box to confirm that the attached PDF, on line 3012, contains the required information pursuant to § 54.313(f)(1)(i), as a recipient of CAF Phase II support shall provide the number, names, and addresses of community anchor institutions to which began providing access to broadband service in the preceding calendar year.	Name of Attached Document Listing Required Information	<input type="checkbox"/>
(3011)			
(3012)	Community Anchor Institutions (47 CFR § 54.313(f)(1)(ii))	Name of Attached Document Listing Required Information	<input checked="" type="checkbox"/> (Yes/No)
(3013)	Is your company a Privately Held ROR Carrier (47 CFR § 54.313(f)(2))		<input type="checkbox"/> (Yes/No)
(3014)	If yes, does your company file the RUS annual report Please check these boxes to confirm that the attached PDF, on line 3017, contains the required information pursuant to § 54.313(f)(2) compliance requires: Electronic copy of their annual RUS reports (Operating Report for Telecommunications Borrowers)		<input type="checkbox"/>
(3015)			<input type="checkbox"/>
(3016)	PDF of Balance Sheet, Income Statement and Statement of Cash Flows		
(3017)	If the response is yes on line 3014, attach your company's RUS annual report and all required documentation	Name of Attached Document Listing Required Information	<input checked="" type="checkbox"/> (Yes/No)
(3018)	If the response is no on line 3014, is your company audited? If the response is yes on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains : Either a copy of their audited financial statement; or (2) a financial report in a format comparable to RUS Operating Report for Telecommunications Borrowers		<input checked="" type="checkbox"/>
(3019)			<input checked="" type="checkbox"/>
(3020)	PDF of Balance Sheet, Income Statement and Statement of Cash Flows		<input checked="" type="checkbox"/>
(3021)	Management letter issued by the independent certified public accountant that performed the company's financial audit. If the response is no on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains: Copy of their financial statement which has been subject to review by an independent certified public accountant; or 2) a financial report in a format comparable to RUS Operating Report for Telecommunications Borrowers		<input type="checkbox"/>
(3022)			<input type="checkbox"/>
(3023)	Underlying information subjected to a review by an independent certified public accountant		<input type="checkbox"/>
(3024)	Underlying information subjected to an officer certification		<input type="checkbox"/>
(3025)	PDF of Balance Sheet, Income Statement and Statement of Cash Flows		<input type="checkbox"/>
(3026)	Attach the worksheet listing required information	Name of Attached Document Listing Required Information	150093ny3026

Certification - Reporting Carrier Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	150093
<015>	Study Area Name	EMPIRE TEL CORP
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Thomas Prestigiacomo
<035>	Contact Telephone Number - Number of person identified in data line <030>	607-522-3712
<039>	Contact Email Address - Email Address of person identified in data line <030>	tprestia@etcnpt.com

TO BE COMPLETED BY THE REPORTING CARRIER, IF THE REPORTING CARRIER IS FILING ANNUAL REPORTING ON ITS OWN BEHALF:

Certification of Officer as to the Accuracy of the Data Reported for the Annual Reporting for CAF or LI Recipients	
I certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual reporting requirements for universal service support recipients; and, to the best of my knowledge, the information reported on this form and in any attachments is accurate.	
Name of Reporting Carrier:	EMPIRE TEL CORP
Signature of Authorized Officer:	CERTIFIED ONLINE
	Date 10/07/2013
Printed name of Authorized Officer:	Thomas Prestigiacomo
Title or position of Authorized Officer:	CFO
Telephone number of Authorized Officer:	607-522-3712
Study Area Code of Reporting Carrier:	150093
	Filing Due Date for this form: 10/15/2013
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.	

Certification - Agent / Carrier Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010> Study Area Code	150093
<015> Study Area Name	EMPIRE TEL CORP
<020> Program Year	2014
<030> Contact Name - Person USAC should contact regarding this data	Thomas Prestigiacomio
<035> Contact Telephone Number - Number of person identified in data line <030>	607-522-3712
<039> Contact Email Address - Email Address of person identified in data line <030>	tpresti@etcnpt.com

TO BE COMPLETED BY THE REPORTING CARRIER, IF AN AGENT IS FILING ANNUAL REPORTS ON THE CARRIER'S BEHALF:

Certification of Officer to Authorize an Agent to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier	
I certify that (Name of Agent) _____ is authorized to submit the information reported on behalf of the reporting carrier. I also certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual data reporting requirements provided to the authorized agent; and, to the best of my knowledge, the reports and data provided to the authorized agent is accurate.	
Name of Authorized Agent: _____	
Name of Reporting Carrier: _____	
Signature of Authorized Officer: _____	Date: _____
Printed name of Authorized Officer: _____	
Title or position of Authorized Officer: _____	
Telephone number of Authorized Officer: _____	
Study Area Code of Reporting Carrier: _____	Filing Due Date for this form: _____
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.	

TO BE COMPLETED BY THE AUTHORIZED AGENT:

Certification of Agent Authorized to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier	
I, as agent for the reporting carrier, certify that I am authorized to submit the annual reports for universal service support recipients on behalf of the reporting carrier; I have provided the data reported herein based on data provided by the reporting carrier; and, to the best of my knowledge, the information reported herein is accurate.	
Name of Reporting Carrier: _____	
Name of Authorized Agent or Employee of Agent: _____	
Signature of Authorized Agent or Employee of Agent: _____	Date: _____
Printed name of Authorized Agent or Employee of Agent: _____	
Title or position of Authorized Agent or Employee of Agent: _____	
Telephone number of Authorized Agent or Employee of Agent: _____	
Study Area Code of Reporting Carrier: _____	Filing Due Date for this form: _____
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.	

Attachments

<010>	Study Area Code	150093
<015>	Study Area Name	EMPIRE TEL CORP
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Thomas Prestigiacono
<035>	Contact Telephone Number - Number of person identified in data line <030>	607-522-3712
<039>	Contact Email Address - Email Address of person identified in data line <030>	tpresti@etcnpt.com
<810>	Reporting Carrier	Empire Telephone Corporation
<811>	Holding Company	Lantelco, Inc
<812>	Operating Company	Empire Telephone Corporation

[illegible]

In establishing this certification in its *2005 ETC Order*,¹ the FCC found that an ETC must make “a specific commitment to objective measures to protect consumers.”² The Commission found that for wireless ETCs, compliance with CTIA’s Consumer Code for Wireless Service would satisfy this requirement” and that the sufficiency of other commitments would be considered on a case-by-case basis.³ In this context, the FCC stated, “to the extent a wireline or wireless ETC applicant is subject to consumer protection obligations under state law, compliance with such laws may meet our requirement.”⁴

Empire Telephone Corporation (“Company”) hereby certifies that it is complying with applicable service quality standards and consumer protection rules. The Company is subject to service quality standards and consumer protection obligations under both federal and state law. These standards and obligations include, but are not limited to, the following: (1) providing copies of a tariff, pending tariff, or rate filing which disclose rates, terms and conditions of service to customers in accordance with the New York Code of Rules and Regulations (NYCRR) Title 16, Volume C, Chapter 6, Subchapter A, 602.4; (2) adherence to state service quality standards and consumer protection requirements governing telephone providers under NYCRR Title 16, Volume C, Chapter 6, Subchapter A service, Parts 600, 602, 603, and 609; (3) truth-in-billing requirements;

¹ *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, FCC 05-46 (rel. Mar. 17, 2005) (“*2005 ETC Order*”).

² *Id.* at para. 28.

³ *Id.* The FCC noted that under the CTIA Consumer Code, wireless carriers agree to: “(1) disclose rates and terms of service to customers; (2) make available maps showing where service is generally available; (3) provide contract terms to customers and confirm changes in service; (4) allow a trial period for new service; (5) provide specific disclosures in advertising; (6) separately identify carrier charges from taxes on billing statements; (7) provide customers the right to terminate service for changes to contract terms; (8) provide ready access to customer service; (9) promptly respond to consumer inquiries and complaints received from government agencies; and (10) abide by policies for protection of consumer privacy.” *Id.* at n. 71.

⁴ *Id.* at n. 72.

and (4) CPNI, Red Flag Rules and other applicable federal and state requirements governing the protection of customers' privacy.

Empire Telephone Corporation (“Company”) hereby certifies that it is able to function in emergency situations as set forth in §54.202(a)(2).¹ The Company’s network is designed to remain functional in emergency situations without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations as required by Section 54.202(a)(2). The Company can change call routing translations as needed to reroute traffic around damaged facilities. Changing call routing translations will also allow the Company to manage traffic spikes throughout its network, as emergency situations require.

Specifically, each central office building is supplied with standby generators and battery back-up that enable the central office to keep running until power is restored so long as fuel is available, or until system changes are made to reroute traffic. The Company has battery backup at all office locations and in its electronic equipment sites. Length of run time is determined by the equipment serving the area and the number of customers working out of the equipment. Generators are installed at all Central Office locations. They will continue to run as long as the Company has access to fuel.

¹ Section 54.202(a)(2) requires ETCs that are designated by the Commission to “demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.”

P.S.C. No. 2 - Telephone

New York State Telecommunications Association, Inc.

Section 9
Second Revised Page 3
Superseding First Revised Page 3

SPECIAL EQUIPMENT, SERVICES, AND PROGRAMS

A. LIFELINE TELEPHONE SERVICE

1. Lifeline Telephone Service Options

a. Description

1. Lifeline Discounted Service

This service provides a flat rate federal discount of \$9.25, consisting of a \$6.50 reduction of the Federal Subscriber Line Charge and a \$2.75 reduction in the monthly rate for local exchange telephone service for residential customers. Qualified customers may choose any type or grade of local telephone service, including bundled services that are normally offered by the Company.

1 A. Additional Lifeline Discount

This service provides the discount as outlined in A.1.a.1 above and may provide an additional discount equal to the serving company's increase in residential basic local exchange service, as authorized by the NYS Department of Public Service in Case No. 07-C-0349, released March 4, 2008, whereby the NY Commission authorized certain companies to increase basic local service rates up to \$2.00 per year for 2 years. The discount can be found on Addendum 1 of the individual Company tariff for those companies offering the Additional Lifeline Discount.

Date Issued: May 30, 2012

Date Effective: July 1, 2012

Issued by: Caroline Hill, Director Tariffs

NYSTA, Inc., 20 Corporate Woods Boulevard, Albany, NY 12210

P.S.C. No. 2 - Telephone

New York State Telecommunications Association, Inc.

Section 9

First Revised Page 4

Superseding Original Page 4

SPECIAL EQUIPMENT, SERVICES, AND PROGRAMS

A. LIFELINE TELEPHONE SERVICE (cont'd)

1. Lifeline Telephone Service Options (cont'd)

b. General

Qualified customers may choose to apply the federal Lifeline credit to any of the company's local service offerings, including any local bundled service offering, basic local service, or message rate service. Message rate Lifeline service is available only where central office facilities permit. For connection of new service, service connection charges apply unless the customer qualifies for connection assistance under the Tribal Lands Link Up program.

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Service connection charges do not apply to change existing service from:

(C)

1. Message or flat rate services to Lifeline service.
2. Lifeline service to non-Lifeline services.

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Issued in Compliance with FCC Order in Dockets: WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23

Date Issued: March 29, 2012

Date Effective: April 29, 2012

Issued by: Robert R. Puckett, President

NYSTA, Inc., 20 Corporate Woods Boulevard, Albany, NY 12211

P.S.C. No. 2 - Telephone

New York State Telecommunications Association, Inc.

Section 9
First Revised Page 4.1
Superseding Original Page 4.1

SPECIAL EQUIPMENT, SERVICES, AND PROGRAMS

A. LIFELINE TELEPHONE SERVICE (cont'd)

2. Regulations

- a. These services are restricted to low income residential customers. To qualify for Lifeline service a customer must certify and provide documentation as income eligible. For a consumer to be eligible under the income requirements, the consumer's household income as defined in § 54.400(f) of the FCC Rules must be at or below 135% of the Federal Poverty Guidelines for a household of that size or a recipient of benefits from any one of the following Entitlement Programs:

(C)
(C)

1. Medicaid;
2. Supplemental Nutrition Assistance Program (SNAP) F/K/A Food stamps;
3. Supplemental Security Income;
4. Federal Public Housing Assistance (Section 8);
5. Low-Income Home Energy Assistance Program (LIHEAP);
6. National School Lunch Program's free lunch program;
7. Temporary Assistance for Needy Families/SafetyNet;
8. Veterans Disability Pension
9. Veterans Surviving Spouse Pension

(C)

*Issued in Compliance with FCC Order in Dockets: WC Docket No. 11-42, WC Docket No. 03-109, CC
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NYSTA, Inc., 20 Corporate Woods Boulevard, Albany 12211

P.S.C. No. 2 - Telephone

New York State Telecommunications Association, Inc.

Section 9
First Revised Page 5
Superseding Original Page 5

SPECIAL EQUIPMENT, SERVICES, AND PROGRAMS

A. LIFELINE TELEPHONE SERVICE (cont'd)

2. Regulations (cont'd)

b. The Lifeline discount is effective upon receipt of a completed form of eligibility. If the form is not returned, no further action is taken by the Company to establish eligibility.

+

c. The Company, in coordination with appropriate agencies and the Lifeline Customer, will require Lifeline customers to be re-certified, on an annual basis. Lifeline customers will need to certify that they continue to be eligible to receive these Lifeline benefits and that they are not receiving benefits from another company. If a customer is identified as being ineligible, the customer will be notified that unless the information is shown to be in error, the Lifeline discount will be discontinued. The customer will be billed for discounts received for the time that they were proven to be ineligible for the service.

(C)

3. Locality Charge Waiver

Customers receiving Lifeline Telephone Service will have applicable locality charges waived each month while they are receiving the Lifeline Assistance.

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4. Voluntary Toll Blocking (Restriction)

Customers receiving Lifeline service can voluntarily request and receive toll blocking (call restriction), third number billing/collect call restriction without a monthly charge. There will be no record order charge to add these types of restrictions (blocking).

Issued in Compliance with FCC Order in Dockets: WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23

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Issued by: Robert R. Puckett, President

NYSTA, Inc., 20 Corporate Woods Boulevard, Albany, NY 12211

P.S.C. No. 7 - Telephone

Empire Telephone Corporation

Section 3
Twelfth Revised Page 6
Superseding Eleventh Revised Page 6

RATES

F. Group Six (Local Exchange Service)

Burdett	Residential	Business	
Flat Rate Exchange Service (Basic Service)			
Individual Line.....	\$19.05	\$19.05	(C)
Two Party Line.....	\$N/A	\$N/A	
Four Party Line.....	\$N/A	\$N/A	
Multi-Premises (per premise)	\$N/A	\$N/A	
Trunk Rate.....	\$N/A	\$20.03	
Joint User Service.....	\$13.53	\$ 13.53	(C)

Message Rate Exchange Service (Individual Line Only)

Untimed Message.....	\$N/A	\$N/A	
Allowance.....	N/A Calls	N/A Calls	
Timed Message.....	\$N/A	\$N/A	
Basic Budget.....	\$N/A	\$N/A	
Auxiliary Line.....	\$N/A	\$N/A	
Trunk Rate (first trunk).....	\$N/A	\$N/A	
Allowance.....	\$N/A	\$N/A	
Trunk Rate (each additional trunk)	\$N/A	\$N/A	
Allowance.....	\$N/A	\$N/A	
Message Unit.....	\$N/A	N/A Calls	
Timed Unit			
First/N/A Minute.....	\$N/A	\$N/A	
Each Additional Minute	\$N/A	\$N/A	

Issued in Compliance with Commission Order in Case No. 07-C-0349 dated December 18, 2009.

*See Addendum 1

Date Issued: January 23, 2013

Date Effective: March 1, 2013

Issued By: Brian Wagner, President, Prattsburgh, NY 14873

Empire Telephone Corporation
P.S.C. No. 7 - Telephone

Section 3
Ninth Revised Page 6A
Superseding Eighth Revised Page 6A

RATES

F. Group 6 (Local Exchange Services)

Lodi	Residential	Business	
Flat Rate Exchange Service (Basic Service)			
Individual Line.....	\$16.55	\$16.55	(C)
Two Party Line.....	\$N/A	\$N/A	
Four Party Line.....	\$N/A	\$N/A	
Multi-Premises (per premise)	\$N/A	\$N/A	
Trunk Rate	\$N/A	\$20.18	
Joint User Service	\$12.28	\$12.28	(C)

Message Rate Exchange Service (Individual Line Only)

Untimed Message.....	\$N/A	\$N/A
Allowance.....	N/A Calls	N/A Calls
Timed Message.....	\$N/A	\$N/A
Basic Budget.....	\$N/A	\$N/A
Auxiliary Line.....	\$N/A	\$N/A
Trunk Rate (first trunk)...	\$N/A	\$N/A
Allowance.....	N/A Calls	N/A Calls
Message Unit.....	\$N/A	\$N/A
Timed Unit.....		
N/A First N/A Minute.....	\$N/A	\$N/A
Each Addition Minute.	\$N/A	\$N/A

Issued in Compliance with Commission Orders in Case No. 07-C-0349 dated December 18, 2009.

**See Addendum 1*

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Empire Telephone Corporation
P.S.C. No. 7 - Telephone

Section 3
Seventh Revised Page 9
Superseding Sixth Revised Page 9

RATES

F. Group Six (Local Exchange Services)
East Pembroke

	Residential	Business	
Flat Rate Exchange Service (Basic Service)			
Individual Line	\$18.30	\$18.30	(C)
Two-Party Line	\$N/A	\$N/A	
Four-Party Line	\$N/A	\$N/A	
Multi-Premises (per premise)	\$N/A	\$N/A	
Trunk Rate	\$N/A	\$23.03	
Joint User Service	\$13.15	\$ 13.15	(C)

Message Rate Exchange Service (Individual Line Only)

Untimed Message.....	\$N/A	\$N/A
Allowance.....	N/A Calls	N/A Calls
Timed Message.....	\$N/A	\$N/A
Basic Budget.....	\$N/A	\$N/A
Auxiliary Line.....	\$N/A	\$N/A
Trunk Rate (first trunk).....	\$N/A	\$N/A
Allowance.....	N/A Calls	N/A Calls
Trunk Rate (each additional trunk).....	\$N/A	\$N/A
Allowance.....	N/A Calls	N/A Calls
Message Unit.....	\$N/A	\$N/A
Timed Unit		
First N/A Minutes.....	\$N/A	\$N/A
Each Additional Minute.....	\$N/A	N/A

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Empire Telephone Corporation
P.S.C. No. 7 - Telephone

Section 3
Eighth Revised Page 12
Superseding Seventh Revised Page 12

RATES

F. Group Six (Local Exchange Services)
Prattsburgh

	Residential	Business	
Flat Rate Exchange Service (Basic Service)			
Individual Line.....	\$18.30	\$18.30	(C)
Two-Party Line.....	\$N/A	\$ N/A	
Four-Party Line.....	\$N/A	\$N/A	
Multi-Premises (per premise).....	\$N/A	\$N/A	
Trunk Rate.....	\$N/A	\$23.02	
Joint User Service.....	\$13.15	\$13.15	(C)
Message Rate Exchange Service (Individual Line Only)			
Untimed Message.....	\$N/A	\$N/A	
Allowance.....	N/A Calls	N/A Calls	
Timed Message.....	\$N/A	\$N/A	
Basic Budget.....	\$N/A	\$N/A	
Auxiliary Line.....	\$N/A	\$N/A	
Trunk Rate (first trunk).....	\$N/A	\$N/A	
Allowance.....	N/A Calls	N/A Calls	
Trunk Rate (each additional trunk).....	\$N/A	\$N/A	
Allowance.....	N/A Calls	N/A Calls	
Message Unit.....	\$N/A	\$N/A	
Times Unit			
First N/A Minute.....	\$N/A	\$N/A	
Each Additional Minute.....	\$N/A	\$N/A	

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Empire Telephone Corporation
P.S.C. No. 7 - Telephone

Section 3
Ninth Revised Page 12A
Superseding Eighth Revised Page 12A

RATES

F. Group 6 (Local Exchange Services)

Pulteney	Residential	Business	
Flat Rate Exchange Service (Basic Service)			
Individual Line	\$16.55	\$16.55	(C)
Two-Party Line	\$N/A	\$N/A	
Four-Party	\$N/A	\$N/A	
Multi-Premises (per premise)	\$N/A	\$N/A	
Trunk Rate	\$N/A	\$20.18	
Joint User Service	\$12.28	\$12.28	(C)

Message Rate Exchange Service (Individual Line Only)

Untimed Message.....	\$N/A	\$N/A
Allowance.....	N/A Calls	N/A Calls
Timed Message.....	\$N/A	\$N/A
Basic Budget.....	\$N/A	\$N/A
Auxiliary Line.....	\$N/A	\$N/A
Trunk Rate (first trunk)	\$N/A	\$N/A
Allowance.....	N/A	N/A Calls
Trunk Rate (each additional trunk)	\$N/A	\$N/A
Allowance.....	N/A Calls	N/A Calls
Message Unit.....	\$N/A	\$N/A
Timed Unit		
First N/A Minute.....	\$N/A	\$N/A
Each Additional Minute.....	\$N/A	\$N/A

Issued in Compliance with Commission Orders in Case No. 07-C-0349 dated March 4, 2008 and December 18, 2009.

**See Addendum 1*

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P.S.C. No. 7 - Telephone

Empire Telephone Corporation

Section 3
Ninth Revised Page 15
Superseding Eighth Revised Page 15

RATES

F. Group Six (Local Exchange Services)

Odessa

	Residential	Business	
Flat Rate Exchange Service (Basic Service)			
Individual Line.....	\$19.05	\$19.05	(C)
Two-Party Line.....	\$N/A	\$N/A	
Four-Party Line.....	\$N/A	\$N/A	
Multi-Premises (per premise).....	\$N/A	\$N/A	
Trunk Rate.....	\$N/A	\$24.00	
Joint User Service.....	\$13.53	\$13.53	(C)
Message Rate Exchange Service (Individual Line Only)			
Untimed Messages.....	\$N/A	\$N/A	
Allowance.....	N/A Calls	N/A Calls	
Timed Messages	\$N/A	\$N/A	
Basic Budget.....	\$N/A	\$N/A	
Auxiliary Line.....	\$N/A	\$N/A	
Trunk Rate (first trunk).....	\$N/A	\$N/A	
Allowance.....	N/A Calls	\$N/A Calls	
Trunk Rate (each additional trunk).....	\$N/A	\$N/A	
Allowance.....	\$N/A	\$N/A	
Message Unit			
First N/A Minute.....	\$N/A	\$N/A	
Each Additional Minute.....	\$N/A	\$N/A	

Issued in Compliance with Commission Orders in Case No. 07-C-0349 dated March 4, 2008 and December 18, 2009.

**See Addendum 1*

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Effective Date: March 1, 2013

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P.S.C. No. 7 - Telephone

Empire Telephone Corporation

Addendum 1
Fifth Revised Page 1
Superseding Fourth Revised Page 1

Basic Local Exchange Service Credit

Basic Local Exchange Service Credit

In April of 2006, the Company received a distribution of funds due to the dissolution of the Rural Telephone Bank (RTB). In March of 2008, the Company received approval to increase its rates by \$2.00 for two years as part of the Framework for Regulatory Relief. The Company will apply the proceeds it received as a result of the dissolution of the Rural Telephone Bank (RTB), in part, to offset basic local exchange rate increases for all customers except Lifeline customers. Lifeline Customers will be eligible for the below "Additional Lifeline Credit, as outlined in the Commission Order. The company will issue the following monthly credits, differentiated by the type of service, as follows:

Type of Service	Amount of RTB Bill Credit Per Local Exchange Access Line
Residential Individual Line	\$4.00

Additional Lifeline Service Credit

Additional Lifeline Service Credit*

Effective	Amount of Additional Lifeline Credit Per Residential Basic Local Exchange Access Line
March 1, 2013	\$7.00 (C)

Issued in Compliance with Commission Orders in Case No. 07-C-0349 dated March 4, 2008 and December 18, 2009.

**See Addendum 1*

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REDACTED – FOR PUBLIC INSPECTION

EMPIRE TELEPHONE CORPORATION (SAC 150093)

ATTACHMENT - LINE 3026

ATTACHMENT REDACTED IN ENTIRETY